

**THE MINUTES OF THE REGULAR CITY COUNCIL MEETING HELD  
MONDAY, SEPTEMBER 18, 2000 AT 1:30 P.M.**

The Meeting was called to order at 1:30 p.m. Present: Council Chairperson Shoecraft; Council Members: Camp, Cook, Fortenberry, Johnson, McRoy, Seng; Joan Ross, Deputy City Clerk.

The Council stood for a moment of silent meditation.

**READING OF THE MINUTES**

CAMP Having been appointed to read the minutes of the City Council proceedings of Sept. 11, 2000, reported having done so, found same correct.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

**MAYOR'S AWARD OF EXCELLENCE**

Mayor Don Wesely came forward to present the August, 2000 Mayor's Award of Excellence to two individuals, Bill Hergott & John Harbeson. Bill & John were nominated by their supervisors for the Mayor's Award of Excellence in the category of customer relations because of their ability to work cooperatively with the public. Bill's an Arborist & John is an Equipment Operator for the Dept. of Parks & Recreation. Much of their work occurs in parks neighborhoods where they have ample opportunity to interact with the public. The nomination refers to a specific incident where they assisted City Arborist Steve Schwab & Assistant City Arborist Bob Weyhrich in planting trees with citizen volunteers from the Antelope Park & Tierra Neighborhood Assocs. And this is a quote, "On Sat., April 1st, Bill augered 70 planting holes in the Antelope Park Neighborhood & assisted 17 volunteers in planting street trees to beautify their area. On Sat., April 15th, John augered 82 planting holes & also assisted volunteers in planting street trees in the Tierra Neighborhood area." Positive written & verbal comments were made by citizens from both organizations as a result of Bill & John's dedication & hard work. So, please join me in recognizing Bill & John on their achievements. Congratulations!

Bill Hergott, Parks & Rec.: I'd just say if the award went to anybody it should've went to that neighborhood association. Eighteen years of doing tree planting with them, I'd say that's one of the most organized neighborhood associations I ever worked with. They made the job easy.

Steve Schwab, City Arborist: I'd just like to add that Bill & John, day in & day out, do an outstanding job for the Parks Dept. They're dedicated employees with many years of service. They definitely make my job easier & I really would like to congratulate them for a job well done not only in this situation but day in & day out. They really do a great job for the citizens of Lincoln.

**PUBLIC HEARING**

MAN. APP. OF WILLIAM R. KOLLER FOR WHITEHEAD OIL CO. DBA U-STOP CONVENIENCE SHOP AT 1421 CENTERPARK RD. - William Koller, 1421 Centerpark Rd., took oath & came forward to answer any questions.

This matter was taken under advisement.

MAN. APP. OF DANNY L. BOLIN FOR WHITEHEAD OIL CO. DBA U-STOP CONVENIENCE SHOP AT 8231 E. "O" ST. - Danny Bolin, 5740 Dogwood Dr., took oath & came forward to answer any questions.

This matter was taken under advisement.

MAN. APP. OF JANICE MITZNER FOR NEBRASKA RETAIL VENTURES L.L.C. DBA AMPRIDE #106 AT 4401 N. 70TH ST. - Janice Mitzner, 4401 N. 70th St., took oath & came forward to answer any questions.

This matter was taken under advisement.

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APP. OF HOLIDAY INN DOWNTOWN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING 145' BY 300' AT AMERITAS INVESTMENT CORP., 5900 "O" ST., ON SEPT. 30, 2000 FROM 8:00 A.M. TO 5:00 P.M. - Sandy Massie, Director of Catering at the Holiday Inn Downtown at 9th & P St.: We'd like to do a tailgate party at the Ameritas for the Sept. 30th game.

This matter was taken under advisement.

CHANGE OF ZONE 3268 - APP. OF GARNER INDUSTRIES FOR A CHANGE FROM I-2 INDUSTRIAL PARK TO I-2 INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT ON PROPERTY GENERALLY LOCATED AT N. 98TH ST. & CORNHUSKER HWY. - Mark Hunzeker, 530 S. 13th St., Suite B, representing applicant: We still have a few items that we need to get ironed out, a few details as among the property owner, the County & the City. And I think within the last part of last weeks we got an arrangement tentatively put together that will solve our problems. We just don't have it reduced to writing & I spoke with Rick Peo this morning. I think it would just be...we'd probably be back here in two weeks trying to amend what we did today if we tried to do it today so we just request that it be placed on next week's agenda again for public hearing & 3rd Reading.

Deputy Clerk: Next week, the 25th?

Mr. Hunzeker: Yeah.

Coleen Seng, Council Member: So moved.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

This matter was taken under advisement.

ACCEPTING & APPROVING THE PRE. PLAT OF SAGE PRAIRIE ADD., INCLUDING WAIVERS OF THE REQUIREMENTS FOR SIDEWALKS, ST. LIGHTS, LANDSCAPE SCREENS, ST. TREES, & BLOCK LENGTH, ON PROPERTY GENERALLY LOCATED AT 124TH & HOLDREGE STS.;

SPECIAL PERMIT 1835 - APP. OF PAMELA A. MANSKE TO DEVELOP SAGE PRAIRIE COMMUNITY UNIT PLAN CONSISTING OF 6 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT 124TH & HOLDREGE STS. - Brian Carstens, 5815 S. 58th St., Suite D: This is a AG C.U.P., about 129th & Holdrege. All we're asking for is 6 single-family lots. We haven't asked for any density bonuses. We're providing another access into an existing subdivision to our west. We'll be paving our road. We have Cass County rural water. Each lot will have it's own septic system & it's set up for future urbanization in the event in the Stevens Creek Study they find that this would be a perfect place to do some further residential development. We also did show on our plan, the east middle beltway location if that would be one of the preferred routes that's discovered this spring. And as you can see our lots are clear on the other side so the beltway if it would drop, it would not impact these lots. We are waiving the standard street trees, street lights, sidewalks, landscape screening & block lengths. But Planning Commission unanimously approved it the second time.

This matter was taken under advisement.

APPROVING AN EXCEPTION TO THE GUIDELINES & REGULATIONS FOR DRIVEWAY DESIGN & LOCATION REQUIREMENTS OF VEHICLE STACKING FOR FARMERS BANK AT 5931 LINCOLN TRADE CENTER, SUITE G - Tom Huston, 233 S. 13th St., Suite 1900, representing Farmers Bank: Also with me today is Joyce Douglas, the Executive Vice President. The Farmers Bank's been within the Lincoln Trade Center for a number of years. They recently moved locations which gave them the possibility of opening up a drive-thru facility. It's a small bank within the Lincoln Trade Center & they really focus on smaller areas. We had requested an administrative amendment to the existing special use permit for the Lincoln Trade Center. We found out this discrepancy because of the space planning restraints that we're living under so we're asking for a waiver of that stacking requirement under the guidelines for drive-thru tellers & I'd be more than happy to answer any questions if you have any.

Jeff Fortenberry, Council Member: Well, we dealt with this once before recently & my recommendation was to them just get faster tellers.

Mr. Huston: We work on it. The pneumatic tubes only work so fast.

This matter was taken under advisement.

USE PERMIT 129 - APP. OF R. C. KRUEGER DEVELOPMENT CO. TO CONSTRUCT 115,000 SQ. FT. OF COMMERCIAL SPACE ON PROPERTY GENERALLY LOCATED AT S. 14TH ST., ½ MILE SOUTH OF PINE LAKE RD. - Rick Krueger, Krueger Development Co., 2929

Pine Lake Rd.: We're seeking a generic use permit on this B-2 ground. The B-2 zoning is existing so we have conformed with the setbacks that went through the Planning Commission & so we're seeking your approval at this time.

This matter was taken under advisement.

DIRECTING THAT THE INITIATIVE PETITION CONCERNING THE CREATION OF AN EMERGENCY MEDICAL AUTHORITY KNOWN AS THE EMERGENCY MEDICAL AUTHORITY WHICH SHALL PROVIDE FOR INDEPENDENT MEDICAL DIRECTION & CONTROL OF PRE-HOSPITAL EMERGENCY MEDICAL PROVIDERS, & SELECT & REGULATE GROUND AMBULANCE TRANSPORT PROVIDERS FOR THE CITY, BE PLACED ON THE BALLOT FOR THE GENERAL ELECTION TO BE HELD NOV. 7, 2000 - Ron Ecklund, 5944 Vandervoort Dr.: I would like to encourage you to adopt this resolution & to do so expeditiously because the election is not that far away & I would like to comment that this is not just the result of the work of the 5 people of the SAVE Committee but it's the result of a lot of work by a lot of people. I think if we stopped to figure it out, we probably had over 5 minutes per person involved in getting a signature on the petition just because of the education process & walking the streets & not having people at home when you knocked on the door. It took a long time to get these petitions signed not because people didn't sign them but it just takes a long time to get the thousands of petitions signed/signatures that we needed. And so the initiative process has worked. It's taken a lot of work to get it this far. But on behalf of the SAVE Committee, we would ask you to please put this on the...pass this resolution & put it on the ballot as quickly as you can. Thank you.

Bob Nefsky, 1201 Lincoln Mall, Ste. 102: I'm here on behalf of American Medical Response, the largest ambulance service provider in the nation. We would urge the Council to look at this item very carefully because our review of the matter which we've passed along to the City Attorney indicates that there are serious questions as to the legality & validity of the ballot questions that are put forward. And so, because the result of this ballot initiative, if it's passed, will have the effect of keeping all other bidders for ambulance service out of the market for the next two years. Our client has an interest in providing non-emergency ambulance services to the City & this ballot initiative would prevent that. Questions that are raised & you all, I think, have a copy of a letter that I provided to the City Attorney, this issue number one, there's a question of whether there is more than one ballot question here & that means if there is more than one ballot question, it violates the State Constitution. Second, there is a question as to whether this is a proper or an improper delegation of the power & authority of the Mayor & the City Council. And, third, there are some questions as to the timing of putting it on the November ballot. That's all I have. Thank you very much.

Jerry Shoecraft, Council Chair: Thank you for coming.

Joe Hampton, 3418 Cape Charles Rd. West: I'm here appearing today encouraging you to place this issue on the ballot. The State of Nebraska provides a legal process for the election of officials for elected officials to act in an orderly manner on governmental business. It also provides another safeguard for citizen action when they feel that they need something to be accomplished over & above what a business that the City Council, in this case, has conducted. It's called the Initiative or Referendum Process. Now the citizens chose to use this process & to do anything other than place it on the ballot at this time I think would be ignoring the wishes of an adequate number of citizens, i.e. 4600, that expressed a desire for the total citizenry to act upon this request. So, please don't create more cynicism about the elected official process than we have today. Allow...you've expressed your opinions, now allow the voters to express their opinion. You had a question of legality raised. I think the State provides the legal process, it's been used for many years, it's an orderly process, it's a responsible process. Go out & try to get 4600 citizens to sign a petition. It takes a lot of work. But if I had more time, we could've doubled it very easily. I believe the City Attorney has informed you that it is your responsibility to place it on the ballot. You had an opinion expressed that takes, for the next two years, it takes the process out of the market, i.e. it puts Rural Metro in place with a 2-yr. extension. I think most any attorney will tell you that a legal document can be extended & it's not...we're not asking you to do it, we're asking the citizens to do it. And for you to ignore this, please don't. We got enough cynicism as it is. Thank you.

This matter was taken under advisement.

ORDINANCES - 3RD READING

CHANGE OF ZONE 3268 - APP. OF GARNER INDUSTRIES FOR A CHANGE FROM I-2 INDUSTRIAL PARK TO I-2 INDUSTRIAL PARK PLANNED UNIT DEVELOPMENT ON PROPERTY GENERALLY LOCATED AT N. 98TH ST. & CORNHUSKER HWY. - Prior to reading:

SENG Moved to continue Public Hearing & Action for 1 week to 9/25/00.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

DEPUTY CLERK Read an ordinance, introduced by Annette McRoy, amending the City of Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, changing the boundaries of the districts established & shown on said City of Lincoln Zoning Dist. Maps as provided in Sec. 27.05.020 of the LMC & approving the designation of the area hereinafter described as a planned unit development, the third time.

CHANGE OF ZONE 3206 - APP. OF REALTY TRUST GROUP FOR A CHANGE FROM AGRICULTURAL RESIDENTIAL TO B-1 LOCAL BUSINESS DIST. ON PROPERTY GENERALLY LOCATED AT S. 70TH ST. & PINE LAKE RD. - PRIOR to reading:

JOHNSON Moved to place Bill 00-159 on Pending.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

DEPUTY CLERK Read an ordinance, introduced by Annette McRoy, amending the City of Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

CHANGE OF ZONE 3207 - APP. OF REALTY TRUST GROUP FOR A CHANGE FROM AGRICULTURAL TO B-2 PLANNED NEIGHBORHOOD BUSINESS DIST. ON PROPERTY GENERALLY LOCATED AT S. 84TH ST. & OLD CHENEY RD. - DEPUTY CLERK read an ordinance, introduced by Annette McRoy, amending the City of Lincoln Zoning Dist. Maps attached to & made a part of Title 27 of the LMC, as provided by Sec. 27.05.020 of the LMC, by changing the boundaries of the districts established & shown thereon, the third time.

MCROY Moved to pass the ordinance as read.

Seconded by Johnson & carried by the following vote: AYES: Camp, Fortenberry, Johnson, Shoecraft; NAYS: Cook, McRoy, Seng.

The ordinance, being numbered **17727**, is recorded in Ordinance Book 24, Page

SPECIAL PERMITS & USE PERMITS

ACCEPTING & APPROVING THE PRE. PLAT OF SAGE PRAIRIE ADD., INCLUDING WAIVERS OF THE REQUIREMENTS FOR SIDEWALKS, STREET LIGHTS, LANDSCAPE SCREENS, STREET TREES, & BLOCK LENGTH, ON PROPERTY GENERALLY LOCATED AT 124TH & HOLDREGE STS. - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-80414 WHEREAS, Pamela A. Manske has submitted the Pre. Plat of SAGE PRAIRIE ADD. for acceptance & approval; &

WHEREAS, the Lincoln City - Lancaster County Planning Commission has reviewed said preliminary plat & made recommendations as contained in the letter dated April 24, 2000, which is attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Pre. Plat of SAGE PRAIRIE ADD., as submitted by Pamela A. Manske is hereby accepted & approved, subject to the terms & conditions set forth in Exhibit "A", which is attached hereto & made a part of this resolution as though fully set forth verbatim.

BE IT FURTHER RESOLVED that the City Council finds that the tract to be subdivided is surrounded by such development or unusual conditions that strict application of the subdivision requirements would result in actual difficulties or substantial hardship & the following modifications to the subdivision requirements are therefore approved:

1. The requirements of Secs. 26.27.020, 26.27.070, 26.27.080, & 26.27.090, relating to the installation of sidewalks, ornamental street lights, landscape screens, & street trees, respectively, are waived pursuant to Sec. 26.31.010 based upon the rural nature of the proposed development & its location outside the corporate limits.

2. The requirement of Sec. 26.23.130 of the LMC that block lengths shall not exceed 1,320' between cross streets is waived along the north & east side of the subdivision & along Dixie Trail.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SPECIAL PERMIT 1835 - APP. OF PAMELA A. MANSKE TO DEVELOP SAGE PRAIRIE COMMUNITY UNIT PLAN (C.U.P.) CONSISTING OF 6 DWELLING UNITS ON PROPERTY GENERALLY LOCATED AT 124TH & HOLDREGE STS. - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-80415 WHEREAS, Pamela A. Manske has submitted an application designated as Special Permit 1835 for authority to develop Sage Prairie C.U.P. consisting of six dwelling units on property located at 124th & Holdrege Sts., & legally described to wit:

A portion of the Southwest Quarter of Sec. 17, T10N, R8E of the 6th P.M. Lancaster County, Nebraska, except for Lot 8 I.T. & Lot 17 I.T. of said Section, more particularly described as follows:

Commencing at the South Quarter corner of Sec. 17, T10N, R8E of the 6th P.M., Lancaster County, Nebraska; thence north 00 17 mins. 58 secs. east (an assumed bearing) on the east line of the Southwest Quarter, a distance of 919.03' to the point of beginning; thence north 90 00 mins. 00 secs. west, a distance of 989.86'; thence north 00 04 mins. 22 secs. east on the east line of Lot 17 I.T., a distance of 349.08' to the northeast corner of Lot 17 I.T.; thence north 89 56 mins. 07 secs. west on the north line of Lot 17 I.T., a distance of 313.03'; thence south 00 04 mins. 22 secs. west on the west line of Lot 17 I.T., a distance of 1278.45' to a point on the north right-of-way of Holdrege St.; thence north 90 00 mins. 00 secs. west on the said right-of-way, & parallel to the south line of the Southwest Quarter of Sec. 17, a distance of 955.64', to the southeast corner of Lot 8 I.T.; thence north 00 09 mins. 10 secs. east on the east line of Lot 8 I.T., a distance of 1195.00'; thence north 90 00 mins. 00 secs. west, & parallel to the south line of the Southwest Quarter, on the north line of Lot 8, a distance of 350.00' to a point on the west line of the Southwest Quarter of said Sec. 17; thence north 00 09 mins. 10 secs. west on said west line, a distance of 1394.88', to the East Quarter corner of said Section; thence south 89 52 mins. 14 secs. east on the north line of the Southwest Quarter of Sec. 17, a distance of 2618.92' to the center quarter corner of said Sec. 17; thence south 00 17 mins. 56 secs. west, on the east line of the Southwest Quarter of Sec. 17, a distance of 1664.96' to the point of beginning, & containing a calculated area of 5,033,834.48 sq. ft., or 115.56 acres, more or less;

WHEREAS, the real property adjacent to the area included within the site plan for this community unit plan will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the App. of Pamela A. Manske, hereinafter referred to as "Permittee", to develop Sage Prairie C.U.P. consisting of six dwelling units, on the property legally described above, be & the same is hereby granted under the provisions of Sec. 27.63.320 & Chapter 27.65 of the LMC upon condition that construction & operation of said community unit plan be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves a total of six dwelling units.
2. Before receiving building permits the Permittee must submit a permanent reproducible final site plan as approve.
3. Before occupying this development all development & construction must conform to the approved plans.
4. All privately-owned improvements, including landscaping, must be permanently maintained by the Permittee, its successors & assigns.
5. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.
6. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, her successors, & assigns.

The building official shall report violations to the City Council which may revoke the special permit or take such other action as may be necessary to gain compliance.

7. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving the special permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

USE PERMIT 129 - APP. OF R. C. KRUEGER DEVELOPMENT CO. TO CONSTRUCT 115,000 SQ. FT. OF COMMERCIAL SPACE ON PROPERTY GENERALLY LOCATED AT S. 14TH ST., 1/2 MILE SOUTH OF PINE LAKE RD. - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-80419 WHEREAS, R. C. Krueger Development Co. has submitted an application in accordance with Sec. 27.27.080 of the LMC designated as Use Permit 129 for authority to construct 115,000 sq. ft. of commercial space on property generally located at S. 14th St., ½ mile south of Pine Lake Rd., & legally described to wit:

A portion of Outlot "A" Vavrina Meadows located in Sec. 24, T9N, R6E & a portion of Lot 70 I.T. located in Sec. 24, T9N, R6E of the 6th P.M., Lancaster County, Nebraska, more particularly described as follows:

Commencing at the West Quarter corner of Sec. 24, T9N, R6E of the 6th P.M., Lancaster County, Nebraska & extending north 88 30 mins. 08 secs. east, 50.00' to the point of beginning; thence north 01 56 mins. 43 secs. west, 358.42'; thence north 88 03 mins. 20 secs. east, 566.47'; thence south 01 56 mins. 43 secs. east, 1024.53'; thence south 88 29 mins. 50 secs. west, 565.55'; thence north 02 01 mins. 38 secs. west, 661.74' to the point of beginning, containing 13.29 acres;

WHEREAS, the real property adjacent to the area included within the site plan for this commercial development will not be adversely affected; &

WHEREAS, said site plan together with the terms & conditions hereinafter set forth are consistent with the intent & purpose of Title 27 of the LMC to promote the public health, safety, & general welfare.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the App. of R. C. Krueger Development Co., hereinafter referred to as "Permittee", to construct 115,000 sq. ft. of commercial space on the property legally described above be & the same is hereby granted under the provisions of Sec. 27.31.100 of the LMC upon condition that construction & operation of said commercial space be in strict compliance with said application, the site plan, & the following additional express terms, conditions, & requirements:

1. This permit approves:

- a. 115,000 sq. ft. of commercial floor area.
- b. A waiver of the required site plan information for each proposed use & approval of a list of uses subject to a provision that an administrative amendment is required to approve the development plan for any site to be used for drive thru facilities, convenience store/gas pumps & car washes.
- c. A reduction of the front yard along south 15th St. from 50' to 0' & the reduction of the front yard along the north side of Vavrina Boulevard from 50' to 20' for parking & 40' for buildings.

2. The Planning Director may approve (but is not required to approve) administrative amendments to the use permit adjusting the floor areas of the listed uses as long as the total trips generated do not exceed the trips shown in the trip generation tables on the plans. In evaluating whether to approve such request the Director of Planning shall consider the entire amendment including impacts on the surrounding area.

3. Before receiving building permits:

- a. The Permittee must submit a revised & reproducible final plan as approved along with five copies to the Planning Department.
- b. The construction plans must conform to the approved plans.

- c. Final plats within this use permit must be approved by the City.
4. Before operating & occupying each commercial use, all development & construction must be completed in conformance with the approved plans.
5. All privately-owned improvements including landscaping & private roadways must be permanently maintained by the Permittee or an appropriately established property owner association approved by the City Attorney.
6. The site plan approved by this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking & circulation elements, & similar matters.
7. The terms, conditions, & requirements of this resolution shall be binding & obligatory upon the Permittee, its successors & assigns. The building official shall report violations to the City Council which may revoke this use permit or take such other action as may be necessary to gain compliance.
8. The Permittee shall sign & return the City's letter of acceptance to the City Clerk within 30 days following approval of this use permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The City Clerk shall file a copy of the resolution approving this use permit & the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the Permittee.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

#### PETITIONS & COMMUNICATIONS

CHANGE OF ZONE 3281 - APP. OF PLANNING DIRECTOR FOR A TEXT CHANGE AMENDMENT TO LMC SEC. 27.54.030 TO REMOVE ONE ACRE MINIMUM FROM "P" ZONE - DEPUTY CLERK presented said petition which was referred to the Planning Dept.

UNL MICROBIOLOGIST REPORT OF WATER TESTED FOR THE MONTH OF AUG., 2000 - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (35-01)

TWO PETITIONS TO VACATE PUBLIC WAY IN THE SOUTH 150' OF N. 67TH ST. BETWEEN SEWARD AVE. & KEARNEY AVE. SUBMITTED BY JAMES M. YOUNG & PAUL N. HEIMAN AND DARREL W. & VIONA C. SIMONDS - DEPUTY CLERK presented said petition which was referred to the Law Dept.

#### REPORTS TO CITY OFFICERS

INVESTMENT OF FUNDS - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80429 BE IT HEREBY RESOLVED BY THE CITY COUNCIL of the City of Lincoln, Nebraska:

That the attached list of investments be confirmed & approved, & the City Treasurer is hereby directed to hold said investments until maturity unless otherwise directed by the City Council. (Investments beginning 09/08/00)

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REPORT FROM CITY TREASURER OF TELECOMM. OCC. TAX DUE AS FOLLOWS: **JULY, 2000:** GLOBAL CROSSING TELECOMMS.; **MAY, 2000:** INTERNATIONAL EXCHANGE COMMS.; **AUG., 2000:** ONE CALL COMMS. - DEPUTY CLERK presented said report which was placed on file in the Office of the City Clerk. (20)

ACCEPTING THE REPORT OF NEW & PENDING TORT CLAIMS AGAINST THE CITY & APPROVING DISPOSITION OF CLAIMS SET FORTH THEREIN FOR THE PERIOD OF AUG. 16 - AUG. 31, 2000 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80420 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated September 5, 2000, of various new & pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue

1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED</u>		<u>ALLOWED</u>	
Sark Motors	\$ 705.93	Jack & Shirley Lang	\$ 175.00
James L. Blair	800.00	Robert J. Hummon	1,204.36
Kim Casarez	129.00	Karen Stadnick	158.15
Duane & Cindy Pool	2,880.30	Philip H. Woodard	350,000.00
Tho Duy Phan	321.00		
David Rusk	327.00		
Kelly R. Brooks	25.00		
Duane Wiles	25.00		
Charlie Bolden	45.00		

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

#### OTHER RESOLUTIONS

MAN. APP. OF WILLIAM R. KOLLER FOR WHITEHEAD OIL CO. DBA U-STOP CONVENIENCE SHOP AT 1421 CENTERPARK RD. - DEPUTY CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80407 WHEREAS, Whitehead Oil Co. dba "U-Stop Convenience Shop" located at 1421 Centerpark Rd., Lincoln, Nebraska has been approved for a Retail Class B/K liquor license, & now requests that William R. Koller be named manager;

WHEREAS, William R. Koller appears to be a fit & proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that William R. Koller be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

MAN. APP. OF DANNY L. BOLIN FOR WHITEHEAD OIL CO. DBA U-STOP CONVENIENCE SHOP AT 8231 E. "O" ST. - DEPUTY CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80408 WHEREAS, Whitehead Oil Co. dba "U-Stop Convenience Shop" located at 8231 E. "O" St., Lincoln, Nebraska has been approved for a Retail Class B liquor license, & now requests that Danny L. Bolin be named manager;

WHEREAS, Danny L. Bolin appears to be a fit & proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that Danny L. Bolin be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

MAN. APP. OF JANICE MITZNER FOR NEBRASKA RETAIL VENTURES L.L.C. DBA AMPRIDE #106 AT 4401 N. 70TH ST. - DEPUTY CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80409 WHEREAS, Nebraska Retail Ventures, L.L.C., dba "Ampride #106" located at 4401 N. 70th St., Lincoln, Nebraska has been approved for a Retail Class B/K liquor license, & now requests that Janice Mitzner be named manager;

WHEREAS, Janice Mitzner appears to be a fit & proper person to manage said business.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:



That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that Janice Mitzner be approved as manager of this business for said licensee. The City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APP. OF HOLIDAY INN DOWNTOWN FOR A SPECIAL DESIGNATED LICENSE TO COVER AN AREA MEASURING 145' BY 300' AT AMERITAS INVESTMENT CORP., 5900 "O" ST., ON SEPT. 30, 2000 FROM 8:00 A.M. TO 5:00 P.M. - DEPUTY CLERK read the following resolution, introduced by Cindy Johnson, who moved its adoption for approval:

A-80410 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That after hearing duly had as required by law, consideration of the facts of this application, the Nebraska Liquor Control Act, & the pertinent City ordinances, the City Council recommends that the App. of Holiday Inn Downtown for a Special Designated License to cover an area measuring 145' by 300' in the Ameritas parking lot at 5900 O St., Lincoln, Nebraska, on September 20, 2000, between the hours of 8:00 a.m. & 5:00 p.m., be approved with the condition that the applicant & premise complies in every respect with all City & State regulations & with the following requirements:

1. Identification shall be checked on all parties wishing to consume alcohol.
2. Adequate security shall be provided for the event.
3. The area requested for the permit shall be separated from the public by a fence or other means.
4. Responsible alcohol service practices shall be followed.

BE IT FURTHER RESOLVED the City Clerk is directed to transmit a copy of this resolution to the Nebraska Liquor Control Commission.

Introduced by Cindy Johnson

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING GARY HEJL TO THE COMMUNITY FORESTRY ADVISORY BOARD FOR A 3-YR. TERM EXPIRING AUG. 17, 2003 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80411 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Gary Hejl to the Community Forestry Advisory Board for a three-year term expiring August 17, 2003 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING GERALD SCHLEICH, JOSE SOTO, & MARILYN MCNABB TO THE CHARTER REVISION COMMISSION FOR 4-YR. TERMS EXPIRING JULY 15, 2004 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80412 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Gerald Schleich, Jose Soto, & Marilyn McNabb to the Charter Revision Commission for four-year terms expiring July 15, 2004 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

REAPPOINTING HELEN MEEKS & D. BERT HARRIS TO THE CHARTER REVISION COMMISSION FOR 4-YR. TERMS EXPIRING JULY 15, 2004 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80413 That the reappointment of Helen Meeks & D. Bert Harris to the Charter Revision Commission for four-year terms expiring July 15, 2004 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN INTERLOCAL AGRMT. BETWEEN STARTRAN & THE UNIVERSITY OF NEBRASKA TO CONTINUE THE CURRENT TRANSPORTATION PROGRAM FOR UP TO 3 YEARS - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80416 WHEREAS, the University of Nebraska Board of Regents & the City of Lincoln, Nebraska, dba StarTran desire to continue the current transportation program for up to another three-years.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Mayor is authorized to enter into the attached Interlocal Agreement between the City & UNL, to remain in effect for one year with two one-year options to renew, beginning August 21, 2000, for the provision of bus service in conjunction with the UNL Transportation Program.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPOINTING MARK WESTPHALEN TO THE FIRE & POLICE PENSION ADVISORY COMMITTEE FOR A 4-YR. TERM EXPIRING OCT. 1, 2004 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80417 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the appointment of Mark Westphalen to the Fire & Police Pension Advisory Committee for a four-year term expiring October 1, 2004 is hereby approved.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN EXCEPTION TO THE GUIDELINES & REGULATIONS FOR DRIVEWAY DESIGN & LOCATION REQUIREMENTS OF VEHICLE STACKING FOR FARMERS BANK AT 5931 LINCOLN TRADE CENTER, SUITE G - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80418 WHEREAS, Article IV Section D of the Guidelines & Regulations for Driveway Design & Location, adopted by the City Council through passage of Reso. A-66828 on May 5, 1980, as amended by Resolution Nos. A-67473, A-69045, & A-77545 requires financial institution personal tellers to provide vehicle stacking for four vehicles plus the vehicle being served by the teller; &

WHEREAS, Farmers Bank has requested an exception to said guidelines to reduce the vehicle stacking requirement to three vehicles plus the vehicle being served at its branch facility located at Suite G, Building 5931, Lincoln Trade Center; &

WHEREAS, said Guidelines & Regulations for Driveway Design & Location authorize the City Council to grant a specific exception from the strict applicaiton of the guidelines & regulations that would result in an unusual hardship in the use of a specific parcel of property, provided said exception is granted upon such conditions as may be appropriate to ensure conformance with the goals & purposes of said Guidelines & Regulations.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Council does hereby grant Farmers Bank an exception from the strict application of the provisions of Article IV Section D of the Guidelines & Regulations for Driveway Design & Location so as to reduce the vehicle stacking requirement from 4 vehicles to 3 vehicles plus the vehicle being served to permit the construction of a personal teller at its branch facility located at Suite G, Building 5931, Lincoln Trade Center, Lincoln, Lancaster County, Nebraska.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING THE FIRST AMENDMENT OF THE CONDITIONAL ANNEXATION & ZONING AGRMT. FOR YANKEE HILL RD. VICINITY REGARDING THE CONSTRUCTION OF YANKEE HILL RD., S. 27TH ST. & S. 40TH ST. - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80421 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the First Amendment of the Conditional Annexation & Zoning Agreement for Yankee Hill Rd. Vicinity, which is attached hereto, marked as Attachment "A" & made a part hereof by reference, between the City & Ridge Development Co., Southview Inc., Large Partnership Ltd., & Wilderness Ridge, L.L.C. regarding the construction of Yankee Hill Rd., S. 27th St. & S. 40th St. is hereby approved. The Mayor is authorized to execute the First Amendment on behalf of the City.

BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed copy of this First Amendment to Rick Peo, Assistant City Attorney, for distribution to the Owners.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the First Amendment to the Annexation Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid by the Owners.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN INCREASE IN APPROPRIATIONS IN THE AMOUNT OF \$1,575,000 TO PROVIDE FOR CONSTRUCTING URBAN PAVING FOR PROJECTS GENERALLY LOCATED IN S. 14TH ST. SOUTH OF PINE LAKE RD., & IN S. 14TH ST. AT YANKEE HILL RD. - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80422 WHEREAS, Reso. A-80362 was adopted by the City Council on Aug. 21, 2000, &

WHEREAS, Reso. A-80362 approved the appropriation to the Street Construction Fund all monies received as the City's share of the Highway Allocation fund & the Grade Crossing Protection Fund, together with any other Federal, State, & County funds, received for street construction purposes, any reimbursements & matching funds, including Federal Rd. Funds, all of which monies are hereby appropriated for all purposes as authorized by State laws pertaining to such funds, notwithstanding any sum limitations set forth in the budget attached to said Resolution; &

WHEREAS, Reso. A-80362, approved the first year of the Six-Year Capital Improvements Program for the St. Construction / Vehicle Tax Funds as identified in Schedule 5;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska,

That the appropriations for the Fiscal year 2000-01 be increased by \$1,575,000 to provide funding for constructing Urban Paving in conjunction with orderly development near S. 14th St. & Yankee Hill Rd. & in partnership with the Development Community, the City of Lincoln hereby appropriates Street Construction Funds for the following projects:

- 1) S. 14th St. - from approx. 525' south of Pine Lake Rd. to approx. 635' south of Infinity Court (\$450,000)
- 2) S. 14th St. - from approx. 635' south of Infinity Court to approx. 110' south of the center line of Yankee Hill Rd. & in Yankee Hill Rd. from S. 14th St. east to approx. 75' west of the center line of Wilderness Ridge Dr. (\$1,125,000)

BE IT FURTHER RESOLVED that, upon approval of said Resolution, the Public Works/Utilities Department is authorized to make said increase of appropriation.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING APPROPRIATIONS IN THE AMOUNT OF \$36,000 FROM THE OPERATION OF KENO LOTTERY FOR THE FUNDING OF VARIOUS HUMAN SERVICES - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80423 WHEREAS, Reso. A-75378 provides that five percent of the gross proceeds realized by the City of Lincoln from the operation of a keno lottery shall be designated for such human services as may be recommended & approved by the Joint Budget Committee, City Council & Lancaster Board of Commissioners; &

WHEREAS, the Joint Budget Committee has recommended that the City Council & Lancaster County Board of Commissioners approve the designation of \$36,000 from said gross funds for the human services listed in Attachment "A" (Keno Prevention Fund Round 13) attached hereto & incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

The designation of the \$36,000 from gross funds from the operation of keno lottery for the human services listed in Attachment "A" is hereby approved & the Mayor is authorized to enter into grant contracts with Lancaster County, Nebraska & the respective agencies providing said human services.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

DIRECTING THAT THE INITIATIVE PETITION CONCERNING THE CREATION OF AN EMERGENCY MEDICAL AUTHORITY KNOWN AS THE EMERGENCY MEDICAL AUTHORITY WHICH SHALL PROVIDE FOR INDEPENDENT MEDICAL DIRECTION & CONTROL OF PRE-HOSPITAL EMERGENCY MEDICAL PROVIDERS, & SELECT & REGULATE GROUND AMBULANCE TRANSPORT PROVIDERS FOR THE CITY, BE PLACED ON THE BALLOT FOR THE GENERAL ELECTION TO BE HELD NOV. 7, 2000 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80424 WHEREAS, Article XI, Section 4 of the Constitution of the State of Nebraska provides that amendments to the City Charter may be proposed by petition filed with the City Council, signed by qualified electors in number not less than five percent (5%) of the next preceding gubernatorial vote in the city; &

WHEREAS, the same constitutional provision requires the Council to submit such a proposal to the qualified electors at the next general or special election not held within 30 days after such petition is filed; &

WHEREAS, the Lancaster County Election Commissioner has certified that the requisite number of qualified electors have signed petitions filed with the City Clerk on August 30, 2000, requesting a new Article X-B of the Charter relating to the creation of an administrative authority to be known as the Emergency Medical Authority which shall provide for independent medical direction & control of pre-hospital emergency medical providers & select & regulate ground ambulance transport providers for the City of Lincoln, & it now becomes the duty of the City Council to submit this new Charter Article to a vote of the qualified electors at the general election to be held November 7, 2000.

NOW, THEREFORE, the City Council of the City of Lincoln, Nebraska, hereby directs as follows:

1. That at the general election to be held on Tuesday, the seventh day of November, 2000, there shall be submitted to a vote of the qualified electors of the City of Lincoln, for adoption or rejection, the following new Article to the Charter of the City of Lincoln:

CHARTER AMENDMENT

Amend the Charter of the City of Lincoln by adding a new Article X-B to establish an administrative authority to be known as the Emergency Medical Authority which shall provide for independent medical direction & control of pre-hospital emergency medical providers & select & regulate ground ambulance transport providers for the City of Lincoln.

**Sec. 1.** Pursuant to Article 4, Section 25 of the Charter of the City of Lincoln, there is hereby established an administrative authority to be known as the Emergency Medical Authority which shall provide for independent medical direction & control of pre-hospital emergency medical providers & select & regulate ground ambulance providers for the City of Lincoln. The Authority shall be governed by a five-member Board of Directors appointed by the Mayor with the approval of the City Council. The directors shall reside in the City of Lincoln. One director shall be a licensed physician appointed from a list submitted by the Medical Society or Association in Lancaster County representing the largest number of licensed physicians for an initial term of four years. One director shall be employed in the health insurance industry for an initial term of two years. One director shall be a certified public accountant appointed from a list submitted by the Nebraska Society of Certified Public Accountants, or its successor for an initial term of one year. Two members shall be appointed from a list submitted by the City Council for an initial term of three & five years, respectively. Thereafter, all succeeding appointments shall

be for a term of five years & subject to the same qualifications as their predecessors. The City Council shall by ordinance, provide for the specific organization, method of financing & additional duties of the Authority.

**Sec. 2.** In order to provide time for the Authority to properly organize, the City shall not provide ambulance transport service as a governmental or proprietary function prior to December 31, 2002, & shall discontinue if already doing so, & any existing Certificate of Public Convenience & Necessity issued to a private provider shall be extended to December 31, 2002. Any change in the ambulance transportation service provider shall be made only after a competitive bidding process based on specific criteria, with all cost & revenue assumptions attested to by an independent certified public accountant. After December 31, 2002, if the City is selected to provide ambulance transport service, such service shall be financed by user fees, & shall not be financed or subsidized by any other City revenues. All such user fees shall thereafter be deposited in a separate fund to be known as the Ambulance Fund, which shall be independently audited each fiscal year.

Said amendment shall be submitted to the qualified electors as a Charter amendment adding Article X-B, on the ballot & shall be printed on said ballot in the following form:

"CHARTER AMENDMENT -- ADDING A NEW ARTICLE X-B TO ESTABLISH AN ADMINISTRATIVE AUTHORITY TO BE KNOWN AS THE EMERGENCY MEDICAL AUTHORITY WHICH SHALL PROVIDE FOR INDEPENDENT MEDICAL DIRECTION AND CONTROL OF PRE-HOSPITAL EMERGENCY MEDICAL PROVIDERS AND SELECT AND REGULATE GROUND AMBULANCE TRANSPORT PROVIDERS FOR THE CITY OF LINCOLN.

THE AUTHORITY SHALL BE GOVERNED BY A FIVE-MEMBER BOARD OF DIRECTORS APPOINTED BY THE MAYOR WITH THE APPROVAL OF THE CITY COUNCIL. THE DIRECTORS SHALL RESIDE IN THE CITY OF LINCOLN. ONE DIRECTOR SHALL BE A LICENSED PHYSICIAN APPOINTED FROM A LIST SUBMITTED BY THE MEDICAL SOCIETY OR ASSOCIATION IN LANCASTER COUNTY REPRESENTING THE LARGEST NUMBER OF LICENSED PHYSICIANS FOR AN INITIAL TERM OF FOUR YEARS. ONE DIRECTOR SHALL BE EMPLOYED IN THE HEALTH INSURANCE INDUSTRY FOR AN INITIAL TERM OF TWO YEARS. ONE DIRECTOR SHALL BE A CERTIFIED PUBLIC ACCOUNTANT APPOINTED FROM A LIST SUBMITTED BY THE NEBRASKA SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS, OR ITS SUCCESSOR FOR AN INITIAL TERM OF ONE YEAR. TWO MEMBERS SHALL BE APPOINTED FROM A LIST SUBMITTED BY THE CITY COUNCIL FOR AN INITIAL TERM OF THREE AND FIVE YEARS, RESPECTIVELY. THEREAFTER, ALL SUCCEEDING APPOINTMENTS SHALL BE FOR A TERM OF FIVE YEARS AND SUBJECT TO THE SAME QUALIFICATIONS AS THEIR PREDECESSORS. THE CITY COUNCIL SHALL BY ORDINANCE, PROVIDE FOR THE SPECIFIC ORGANIZATION, METHOD OF FINANCING AND ADDITIONAL DUTIES OF THE AUTHORITY.

IN ORDER TO PROVIDE TIME FOR THE AUTHORITY TO PROPERLY ORGANIZE, THE CITY SHALL NOT PROVIDE AMBULANCE TRANSPORT SERVICE AS A GOVERNMENTAL OR PROPRIETARY FUNCTION PRIOR TO DECEMBER 31, 2002, AND SHALL DISCONTINUE IF ALREADY DOING SO, AND ANY EXISTING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED TO A PRIVATE PROVIDER SHALL BE EXTENDED TO DECEMBER 31, 2002. ANY CHANGE IN THE AMBULANCE TRANSPORTATION SERVICE PROVIDER SHALL BE MADE ONLY AFTER A COMPETITIVE BIDDING PROCESS BASED ON SPECIFIC CRITERIA, WITH ALL COST AND REVENUE ASSUMPTIONS ATTESTED TO BY AN INDEPENDENT CERTIFIED PUBLIC ACCOUNTANT. AFTER DECEMBER 31, 2002, IF THE CITY IS SELECTED TO PROVIDE AMBULANCE TRANSPORT SERVICE, SUCH SERVICE SHALL BE FINANCED BY USER FEES, AND SHALL NOT BE FINANCED OR SUBSIDIZED BY ANY OTHER CITY REVENUES. ALL SUCH USER FEES SHALL THEREAFTER BE DEPOSITED IN A SEPARATE FUND TO BE KNOWN AS THE AMBULANCE FUND, WHICH SHALL BE INDEPENDENTLY AUDITED EACH FISCAL YEAR.

VOTE FOR or AGAINST

I vote FOR the proposed amendment.

I vote AGAINST the proposed amendment."

2. That the City Clerk of the City of Lincoln is hereby directed to publish with his/her official certification, three times, & a week apart, the full text of the proposed amendments to be voted upon, as

required by law, all as required by the Constitution of the State of Nebraska.

3. That the Mayor be & hereby is directed to proclaim & give notice that at the general election to be held in the City of Lincoln, Nebraska, on Tuesday, the seventh day of November, 2000, there will be submitted to the qualified electors of the City of Lincoln, Nebraska, for adoption or rejection, the proposition set forth in Section 1 hereof, & the City Clerk is directed to publish the said proclamation as provided by law.

4. That the City Clerk of the City of Lincoln is further directed to notify the Election Commissioner of Lancaster County of the submission of this proposition, & to procure the necessary ballots & make all other necessary arrangements for the same.

Motion made by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APP. OF THE AMERICAN HEART ASSOC. TO CONDUCT A RAFFLE WITHIN THE CITY OF LINCOLN FROM OCT. 23, 2000 THRU NOV. 18, 2000 - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80425 WHEREAS, the American Heart Association has made application for a permit to conduct a raffle in the City of Lincoln pursuant to Chapter 9.32 of the LMC; &

WHEREAS, said application complies with all of the requirements of Sec. 9.32.030 of the LMC.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That, after public hearing duly had as required by Sec. 9.32.050 of the LMC, the City Council does hereby grant a permit to the American Heart Association to conduct a raffle in the City of Lincoln in accordance with the application filed by Stephanie Volk. The City Clerk is directed to issue a permit upon the payment by the applicant of the required fee, said permit to be valid only for the specific lotteries described in said application & only for a period of one year from the date of approval of this resolution. Said permit shall be subject to all of the conditions & requirements of Chapter 9.32 of the LMC.

BE IT FURTHER RESOLVED that pursuant to Sec. 9.32.080 of the LMC, a tax of 5% is imposed upon the gross proceeds received from the sale of raffle chances or tickets within the City of Lincoln, which tax shall be due no later than sixty (60) days after the conclusion of each raffle to be conducted hereunder, & if unpaid at that time, shall thereafter be delinquent.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., OCT. 2, 2000 AT 1:30 P.M. ON THE MAN. APP. OF ROBERT J. MORRIS FOR SYDRAN FOOD SERVICES III LP DBA CHILI'S SOUTHWEST GRILL AT 6730 S. 27TH ST. - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80426 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Oct. 2, 2000 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the Man. App. of Robert J. Morris for Sydran Food Services III LP dba Chili's Southwest Grill at 6730 S. 27th St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., OCT. 2, 2000 AT 1:30 P.M. ON THE APP. OF OUTBACK STEAKHOUSE FL INC. DBA OUTBACK STEAKHOUSE FOR AN ADDITION TO THEIR LICENSED PREMISE AT 633 N. 48TH ST. (RETAIL CLASS I LIQUOR LICENSE) - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80427 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Oct. 2, 2000 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the App. of Outback Steakhouse FL Inc. dba Outback Steakhouse for an addition to their licensed premise at 633 N. 48th St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

SETTING HEARING DATE OF MON., OCT. 2, 2000 AT 1:30 P.M. ON THE APP. OF LINCOLN SPAGHETTI WORKS INC. DBA LINCOLN SPAGHETTI WORKS FOR AN ADDITION TO THEIR LICENSED PREMISE AT 228 N. 12TH ST. (RETAIL CLASS C LIQUOR LICENSE) - DEPUTY CLERK read the following resolution, introduced by Jonathan Cook, who moved its adoption:

A-80428 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby fixed for Mon., Oct. 2, 2000 at 1:30 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE, for the purpose of considering the App. of Lincoln Spaghetti Works, Inc. dba Lincoln Spaghetti Works for an addition to their licensed premise at 228 N. 12th St.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Jonathan Cook

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

APPROVING AN AGRMT. BETWEEN THE CITY, EMERGENCY MEDICAL SERVICES INC., ST. ELIZABETH COMMUNITY HEALTH CENTER & BRYAN-LGH MEDICAL CENTER TO PROVIDE MEDICAL OVERSIGHT FOR AMBULANCE SERVICE FOR A PERIOD OF 4 YRS. - DEPUTY CLERK read the following resolution, introduced by Annette McRoy, who moved its adoption:

A-80430 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska: That the attached Agreement between the City, Emergency Medical Services, Inc., St. Elizabeth Community Health Center, & Bryan LGH Medical Center to provide medical oversight for ambulance services for a period of four years, in accordance with the terms & conditions contained in said Agreement, is hereby approved & the Mayor is authorized to execute the same on behalf of the City of Lincoln.

The City Clerk is directed to return one executed copy of said Agreement to Emergency Medical Services, Inc., St. Elizabeth Community Health Center, & Bryan LGH Medical Center.

Introduced by Annette McRoy

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

#### ORDINANCES - 1ST & 2ND READING

AMENDING THE LMC BY CREATING A NEW TITLE 7, AMBULANCE TRANSPORTATION CODE, TO ESTABLISH A PROCESS BY WHICH PERSONS MAY APPLY FOR & RECEIVE A LICENSE TO PROVIDE ROUTINE AMBULANCE SERVICE, TO ESTABLISH EMERGENCY AMBULANCE SERVICE TO BE PROVIDED BY THE CITY, & TO ESTABLISH A PROCESS FOR THE PROVISION OF STAND-BY AMBULANCE SERVICE BY ADDING SECTIONS 7.04.010 TO 7.04.210 WHICH SECTIONS SET FORTH DEFINITIONAL TERMS INCLUDING AMBULANCE, AMBULANCE SERVICE, AREA OF CITY SERVICE, EMERGENCY AMBULANCE SERVICE, EMERGENCY CALL, EMERGENCY MEDICAL SERVICES, EMERGENCY MEDICAL SERVICES OVERSIGHT, EMERGENCY MEDICAL TECHNICIAN (EMT), EMERGENCY MEDICAL TECHNICIAN - INTERMEDIATE (EMT-1), EMERGENCY MEDICAL TECHNICIAN - PARAMEDIC (EMT-P), LICENSE, MEDICAL CARE PROTOCOLS, MEDICAL DIRECTOR, 911 CENTER, OPERATOR, PATIENT, PERSON, ROUTINE AMBULANCE SERVICE, STAND-BY AMBULANCE SERVICE, TRIP RECORD, TO BE USED IN TITLE 7; SEC. 7.06.010 PROVIDING THAT NO PERSON SHALL OPERATE WITHIN THE CITY OF LINCOLN A ROUTINE AMBULANCE SERVICE WITHOUT FIRST HAVING OBTAINED A LICENSE THEREFOR; SEC. 7.06.020 ESTABLISHING A PROCESS BY WHICH A PERSON MAY MAKE APPLICATION FOR A LICENSE TO PROVIDE ROUTINE AMBULANCE SERVICE; SEC. 7.06.030 PROVIDING A PROCESS BY WHICH A LICENSE FOR OPERATION OF A ROUTINE

AMBULANCE SERVICE MAY BE ISSUED; SEC. 7.06.040 SETTING FORTH THE TERM OF SUCH LICENSE; SEC. 7.06.050 SETTING FORTH THE FORM & CONTENT OF A LICENSE; SEC. 7.06.060 SETTING FORTH THE STANDARDS FOR AMBULANCE EQUIPMENT IN THE OPERATION OF A ROUTINE AMBULANCE SERVICE; SEC. 7.06.070 SETTING FORTH THE STANDARDS OF OPERATION OF A ROUTINE AMBULANCE SERVICE; SEC. 7.06.080 REQUIRING INTERCONNECTION BETWEEN THE 911 CENTER & A ROUTINE AMBULANCE SERVICE; SEC. 7.06.090 SETTING FORTH DISPATCH REQUIREMENTS; SEC. 7.06.100 SETTING FORTH THE RIGHT OF THE CITY TO AUDIT & INSPECT RECORDS OF A ROUTINE AMBULANCE SERVICE; SEC. 7.06.110 SETTING FORTH RECORDS & REPORTS WHICH SHALL BE KEPT BY A ROUTINE AMBULANCE SERVICE; SEC. 7.06.120 SETTING FORTH THE INSURANCE REQUIREMENTS FOR A ROUTINE AMBULANCE SERVICE; SEC. 7.06.130 SETTING FORTH THE PROCESS BY WHICH THE CITY MAY SUSPEND OR REVOKE A LICENSE FOR THE OPERATION OF A ROUTINE AMBULANCE SERVICE; SEC. 7.06.140 SETTING FORTH THE PENALTIES FOR OPERATING A ROUTINE AMBULANCE SERVICE WITHOUT FIRST OBTAINING A LICENSE THEREFOR; SEC. 7.08.010 SETTING FORTH THE FIRE DEPT.'S AUTHORITY TO PROVIDE AMBULANCE SERVICE NECESSARILY INCLUDING EMERGENCY AMBULANCE SERVICE & SETTING FORTH THE PROCESS BY WHICH FEES FOR SUCH SERVICE WILL BE SET BY CITY COUNCIL; SEC. 7.08.020 ESTABLISHING THE AMBULANCE FUND; SEC. 7.08.030 SETTING FORTH THE CITY'S AUTHORITY TO ENFORCE THE COLLECTION OF FEES FOR AMBULANCE SERVICE PROVIDED BY THE CITY; SEC. 7.08.040 MAKING IT UNLAWFUL FOR ANY PERSON OTHER THAN THE CITY OF LINCOLN TO FURNISH EMERGENCY AMBULANCE SERVICE, DEFENSES TO SUCH PROSECUTION & EXCEPTIONS, & THE PENALTIES UPON CONVICTION THEREOF; SEC. 7.08.050 SETTING FORTH THE MAXIMUM DESIRED RESPONSE TIME IN THE PROVISION OF EMERGENCY AMBULANCE SERVICE - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending the LMC by creating a new Title 7, Ambulance Transportation Code, to establish a process by which persons may apply for & receive a license to provide routine ambulance service, to establish emergency ambulance service to be provided by the City, & to establish a process for the provision of stand-by ambulance service by adding Sections 7.04.010 to 7.04.210 which sections set forth definitional terms including Ambulance, Ambulance Service, Area of City Service, Emergency Ambulance Service, Emergency Call, Emergency Medical Services, Emergency Medical Services Oversight, Emergency Medical Technician (EMT), Emergency Medical Technician - Intermediate (EMT-I), Emergency Medical Technician - Paramedic (EMT-P), License, Medical Care Protocols, Medical Director, 911 Center, Operator, Patient, Person, Routine Ambulance Service, Stand-by Ambulance Service, Trip Record, to be used in Title 7; Sec. 7.06.010 providing that no person shall operate within the City of Lincoln a routine ambulance service without first having obtained a license therefor; Sec. 7.06.020 establishing a process by which a person may make application for a license to provide routine ambulance service; Sec. 7.06.030 providing a process by which a license for operation of a routine ambulance service may be issued; Sec. 7.06.040 setting forth the term of such license; Sec. 7.06.050 setting forth the form & content of a license; Sec. 7.06.060 setting forth the standards for ambulance equipment in the operation of a routine ambulance service; Sec. 7.06.070 setting forth the standards of operation of a routine ambulance service; Sec. 7.06.080 requiring interconnection between the 911 Center & a routine ambulance service; Sec. 7.06.090 setting forth dispatch requirements; Sec. 7.06.100 setting forth the right of the City to audit & inspect records of a routine ambulance service; Sec. 7.06.110 setting forth records & reports which shall be kept by a routine ambulance service; Sec. 7.06.120 setting forth the insurance requirements for a routine ambulance service; Sec. 7.06.130 setting forth the process by which the City may suspend or revoke a license for the operation of a routine ambulance service; Sec. 7.06.140 setting forth the penalties for operating a routine ambulance service without first obtaining a license therefor; Sec. 7.08.010 setting forth the Fire Dept.'s authority to provide ambulance service necessarily including emergency ambulance service & setting forth the process by which fees for such service will be set by City Council; Sec. 7.08.020 establishing the ambulance fund; Sec. 7.08.030 setting forth the City's authority to enforce the collection of fees for ambulance service provided by the City; Sec. 7.08.040 making it unlawful for any person other than the City of Lincoln to furnish emergency ambulance service, defenses to such prosecution & exceptions, & the penalties upon conviction thereof; Sec. 7.08.050 setting forth the maximum desired response time in the provision of emergency ambulance service, the first time.

AMENDING CHAPTER 2.20 OF THE LMC RELATING TO THE FIRE DEPT. BY AMENDING SEC. 2.20.010 TO BROADEN THE FIRE CHIEF'S DUTIES TO INCLUDE THE MANAGEMENT OF A CITY AMBULANCE PROGRAM TO PROVIDE EMERGENCY AMBULANCE SERVICE, & TO PERFORM RECORD KEEPING & REPORTING DUTIES ASSOCIATED THEREWITH, INCLUDING



FINANCIAL RECORDS, TRIP RECORDS, & DAILY LOGS; AMENDING SEC. 2.20.080 TO BROADEN THE FIRE CHIEF'S OR THE OFFICER'S IN COMMAND AUTHORITY TO DIRECT SUCH OPERATION AS MAY BE NECESSARY TO PROVIDE OUT-OF-HOSPITAL EMERGENCY MEDICAL SERVICES INCLUDING TRANSPORTS AT THE SCENE OF A FIRE OR OTHER EMERGENCY INVOLVING THE PROTECTION OF LIFE OR PROPERTY - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Chapter 2.20 of the LMC relating to the Fire Dept. by amending Sec. 2.20.010 to broaden the Fire Chief's duties to include the management of a city ambulance program that will provide emergency ambulance service, & to perform record keeping & reporting duties associated therewith, including financial records, trip records, & daily logs; amending Sec. 2.20.080 to broaden the Fire Chief's or the officer's in command authority to direct such operation as may be necessary to provide out-of-hospital emergency medical services including transports at the scene of a fire or other emergency involving the protection of life or property; & repealing Secs. 2.20.010 & 2.20.080 of the LMC as hitherto existing, the first time.

CREATING ORNAM. LIGHTING DIST. 283 IN WOODS AVE. FROM 33RD ST. EAST TO S. 38TH ST. - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, creating Ornam. Lighting Dist. 283, defining the limits thereof, designating the improvements to be made therein, designating the property to be benefitted, providing for the payment of the cost thereof, & repealing all ordinances & parts of ordinances in conflict herewith, the first time.

CREATING ORNAM. LIGHTING DIST. 284 IN 25TH ST. FROM VAN DORN TO HIGH STS. - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, creating Ornam. Lighting Dist. 284, defining the limits thereof, designating the improvements to be made therein, designating the property to be benefitted, providing for the payment of the cost thereof, & repealing all ordinances & parts of ordinances in conflict herewith, the first time.

AMENDING SEC. 14.70.040 OF THE LMC TO REMOVE THE REFERENCES TO SIDEWALKS FROM THE AREA THE CITY PUBLIC WORKS DEPT. IS REQUIRED TO BACKFILL FOR CUTS, TRENCHES, OR EXCAVATION - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Sec. 14.70.040 of the LMC to delete references to "sidewalk" which will allow plumbers & utility contractors to backfill areas under sidewalks; & repealing Sec. 14.70.040 of the LMC as hitherto existing, the first time.

CHANGE OF ZONE 3276 - AMENDING CHAPTER 27.33 OF THE LMC TO REQUIRE FENCES TO SCREEN AUTOMOBILE LOTS, SERVICE STATIONS, APPLIANCE SALES, & REPAIR OPERATIONS IN THE B-3 ZONING DIST. WHEN LOCATED WITHIN 100' OF ANY RESIDENTIAL USE OR DISTRICT; TO MAKE THOSE USES CONDITIONAL USES; & TO PROHIBIT THOSE AS NEW USES WITHIN 100' OF RESIDENTIAL USES OR DISTRICTS - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Chapter 27.33 of the LMC by amending Sec. 27.33.020 to delegate service stations & automobile & appliance sales & repair facilities as permitted uses in the B-3 Zoning Dist.; amending Sec. 27.33.030 to require fences to screen service stations & automobile or appliance sales & repair facilities in the B-3 Zoning Dist. when located within 100' of any residential use or district, to make those uses conditional uses, & to prohibit those as new uses within 100' of residential uses or districts; & repealing Secs. 27.33.020 & 27.33.030 of the LMC as hitherto existing, the first time.

VACATING CHARLESTON ST. BETWEEN I-180/N. 6TH ST. & SUN VALLEY BLVD. - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, vacating Charleston St. between I-180/N. 6th St. & Sun Valley Blvd., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

VACATING THE NORTH/SOUTH ALLEY FROM SEWARD AVE. NORTH TO THE EAST/WEST ALLEY IN BLOCK 95, HAVELOCK ADD., GENERALLY LOCATED BETWEEN N. 62ND & N. 63RD STS. - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, vacating the north/south alley running from Seward Ave. north to the east/west alley in Block 95, Havelock Add., generally located between N. 62nd & N. 63rd Sts., & retaining title thereto in the City of Lincoln, Lancaster County, Nebraska, the first time.

CHANGE OF ZONE 3280 - AMENDING TITLE 27 OF THE LMC TO DEFINE & ALLOW SEXUALLY ORIENTED LIVE ENTERTAINMENT ESTABLISHMENTS AS A PERMITTED SPECIAL USE IN THE H-1, H-2, H-3, H-4, I-1, I-2, & I-3 ZONING DIST. - PRIOR to reading:  
COOK Moved for Bill 00-170 to have 2nd Reading & 3rd Reading on 9/25/00.  
Seconded by Johnson & carried by the following vote: AYES: Camp,

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Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

DEPUTY CLERK Read an ordinance, introduced by Jonathan Cook, amending Title 27 of the LMC to define & allow sexually oriented live entertainment establishments as a permitted special use in the H-1, H-2, H-3, H-4, I-1, I-2, & I-3 Zoning Dists., the first time.

RENAMING SPECIFIC STREETS WITHIN NORTH HILLS PRE. PLAT GENERALLY LOCATED AT N. 14TH & MORTON STS. AS FOLLOWS: SHOOTING STAR DR. WEST FROM 15TH ST. RENAMED AS "PEGRAM DR."; SNOWFLAKE DR. RENAMED AS "KENNEDY DR."; SNOWFLAKE CT. RENAMED AS "KENNEDY CT."; & PATRICK CT. RENAMED AS "MAZE CT." - CLERK read an ordinance, introduced by Jonathan Cook, changing the name of specific streets in North Hills Pre. Plat generally located at N. 14th & Morton Sts., as recommended by the Street Name Committee, the first time.

AMENDING SEC. 21.56.170 OF THE LMC TO ALLOW REFUSE & GARBAGE REMOVAL SERVICE ONCE A WEEK WHEN CERTAIN RECEPTACLES OR CONTAINERS FOR THE STORAGE OF GARBAGE ARE PROVIDED - DEPUTY CLERK read an ordinance, introduced by Jonathan Cook, amending Sec. 21.56.170 of the LMC relating to refuse & garbage handling within a mobile home court or trailer court to allow refuse & garbage removal service once a week when certain receptacles or containers for the storage of garbage are provided; & repealing Sec. 21.56.170 of the LMC as hitherto existing, the first time.

NAMING THE PRIVATE ROAD IN THE AIRPORT WEST OF N. PARK RD. AS "W. SUPERIOR ST." - DEPUTY CLERK read an ordinance, introduced by Coleen Seng, to name the recently constructed private road in the airport, west of N. Park Rd., as "W. Superior St.", as requested by the Lincoln Airport Authority & recommended by the Street Name Committee, the second time.

**MISCELLANEOUS BUSINESS**

CAMP Moved to reconsider Special Permit 1841 - App. of L.W. Hoffman, on behalf of Anderson Ford, to display automobiles for sale in th front yard & rear yard, with a request to waive the landscape requirements on property generally located at 29th & Cornhusker Hwy. (9/11/00 - Adopted Sub. Reso. #2, 4-3; Johnson, McRoy, Seng Dissenting; A-80405).

Seconded by Johnson & **LOST** by the following vote: AYES: Camp, Johnson; NAYS:: Cook, Fortenberry, McRoy, Seng, Shoecraft.

**PENDING LIST -**

AMENDING SEC. 9.16.230 OF THE LMC TO DEFINE "NUDITY", TO MAKE IT UNLAWFUL FOR A PERSON TO APPEAR IN ANY PUBLIC PLACE IN A STATE OF NUDITY, & PROVIDING EXCEPTIONS THERETO. (2/22/00 - Placed on Pending until a Supreme Court Case Decision):

JOHNSON Moved to remove Bill 00-35 from Pending for Pub. Hearing, 2nd Reading & 3rd Reading on 9/25/00.

Seconded by Camp & carried by the following vote: AYES: Camp, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: Cook.

SPECIAL PERMIT 1840 - APP. OF ANGIE MUHLEISEN, ON BEHALF OF UNION BANK, FOR A PARKING LOT ON PROPERTY LOCATED AT 4717, 4723, & 4731 HILLSIDE ST. (7/31/00 - Held over due to lack of majority vote) (Request from Attorney Peter Katt to delay action & re-open Public Hearing for 8/14/00 or whenever.) (8/7/00 - Placed on Pending Indefinitely):

SENG Moved to remove Bill 00R-199 from Pending for Pub. Hearing & Action on 9/25/00.

Seconded by Johnson & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

CAMP Moved to extend the Pending List for 1 week.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

**UPCOMING RESOLUTIONS**

CAMP Moved to approve the resolutions to have Public Hearing on Sept. 25, 2000.

Seconded by Seng & carried by the following vote: AYES: Camp, Cook, Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

ADJOURNMENT

2:26 P.M.

CAMP            Moved to adjourn the City Council Meeting of Sept. 18, 2000.  
                  Seconded by Seng & carried by the following vote: AYES: Camp, Cook,  
Fortenberry, Johnson, McRoy, Seng, Shoecraft; NAYS: None.

So ordered.

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Joan E. Ross, Deputy City Clerk

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Teresa J. Meier-Brock, Office Assistant III